



5/6/04

## MESSAGE FROM THE HOUSE

### **HB 5545 (Moolenaar)**

HB 5545 would allow certain local units of government to retain \$2.50 per parcel from collections of the State Education Tax. This would apply to local units that otherwise would not levy summer taxes and to counties collecting the SET on behalf of such local units. This would reduce revenues by \$4.2 million.

- The Senate concurred with the House changes to HB 5545 [RC 258: 38 yes, 0 no].

## BUDGETS

### **SB 1107 (Johnson)**

#### SUPPLEMENTAL BUDGET

A zero based supplemental intended to be available as a vehicle bill.

- SB 1107 passed [RC 260: 36 yes, 0 no].

## FINAL PASSAGE

### **SB 320 (Stamas)**

SB 320 would allow a minor who is 16 or 17 years old to work up to 22 hours per week when school is in session and up to 48 hours per week when school is not in session. Currently, a minor that is a student can work up to 48 hours of combined school and work during the period school is in session.

Support: Michigan Restaurant Association, Michigan Education Association, National Federation of Independent Business, McDonalds, Small Business Association of Michigan, Michigan Hotel, Motel & Resort Association, Michigan Grocers Association, Grand Rapids Area Chamber of Commerce, Detroit Regional Chamber -- Michigan is one of only three states (Delaware and Maryland) that have a formula to determine how much time a student may work. Thirty states have no limit and the remaining 17 states that do have a limit average 36.5 hours of work time per week. This bill would put Michigan's hospitality industry on a more level playing field with the rest of the nation.

Oppose: UAW, AFL-CIO, SEIU, Michigan Federation of Teacher, Michigan Association of School Boards -- Removing school hours from the calculation of work hours gives students a false impression that work is more important than their education. By increasing the number of hours young people may legally work, the ultimate effect of the bill is to suppress wages for adult workers by keeping wages lower for these types of jobs.

- SB 320 passed [RC 266: 29 yes, 8 no].

#### **SB 927 (McManus)**

SB 927 would change current law (i.e., Game and Fish Protection Trust Fund) to establish a joint legislative work group on game and fish program revenue. The work group would have to consist of representatives of the House and Senate standing committees with primary responsibility for natural resources issues and the House and Senate Appropriations subcommittees on natural resources. The Speaker of the House and the Senate Majority Leader would have to appoint members on a bipartisan basis within 30 days of the bill's effective date. Also, the group would have to include representatives of the Natural Resources Commission and other interested parties.

Support: MUCC, Trout Unlimited -- The workgroup is necessary to monitor the money in the Game and Fish Protection Fund. The DNR has a financial advisory council that discloses the current state of the fund but additional scrutiny is required.

Oppose: DNR, Administration -- The DNR fully discloses the use of funds in the budgeting process. This workgroup would be made up of legislators giving direction to the executive branch in a violation of checks and balances.

- SB 927 passed [RC 259: 38 yes, 0 no].

#### **SB 1023 (PRUSI)**

#### **SB 1024 (McManus)**

#### **HB 5554 (Casperson)**

SB 1023 would establish four pilot project areas no later than December 31, 2006 to “demonstrate cost savings techniques and improved efficiency in forest treatment techniques while improving the overall health of the forest”. The pilot areas will include between 200 and 640 acres with two in the upper and lower peninsula. One area will be hardwoods and one will be softwoods. The contracts will last for 5 years and include the following activities: marking, harvesting and reforestation. The contracts will include performance measures and require the contractor to report the cost saving techniques and the success of the techniques to the department.

Support: MI Forest Products Council, MI Township Association, MI Farm Bureau -- The pilot areas will force the DNR to contract out some of the management operations of the state forestland which will prove that industry can do it more efficiently at a lower cost. The pilot areas can be controlled by the DNR so that they are only 200 acres a piece amounting to 800 acres out of 3.9 million.

Oppose: Sierra Club, MI Environmental Council -- The pilot areas are privatizing our state forests. The bill will set a precedent so that even if this attempt goes poorly, industry will always be able to point to the pilot areas in statute as the will of previous legislatures.

- SB 1023 passed [RC 263: 24 yes, 14 no].

SB 1024 would expand the membership of the MI Forest Finance Authority from five members to nine and changes the makeup from simply “residents of the state” to specifying each part of the industry. The bill adds to the authorities responsibilities, “implementing a system of forest management that is consistent with principles of sustainable forestry”.

Support: MUCC, MI Forest Products Councils, MI Township Association, MI Farm Bureau -- The new makeup of the authority will reinvigorate them to meet, consider bonding, and participate in the certification process.

Oppose: Sierra Club, MI Environmental Council -- The bill expands the purview of the authority to include management of forest lands when the board is intended only to oversee bonding. The authority has not met since 1995 partially due to the fact that there was not enough money available to do bonding with the fund. The money in the fund is at a break even point so that there is nothing for the authority to direct.

- BRATER 1 was defeated [no RC].
- SB 1024 passed [RC 264: 26 yes, 11 no].

HB 5554 would require the DNR to manage state forestland in a manner consistent with the principles of sustainable forestry. In doing so, the DNR would (1) consider the economic, social, and environmental values of the forest and management practices; (2) conserve and protect forestland; (3) communicate with the public; (4) promote continual improvement in forestry management practices; and (5) consider the local community surrounding state forestland. The bill would require the DNR to adopt (and update as necessary) a forestry development, conservation, and recreation management plan for state forests that is designed to assure a stable, nondeclining, sustainable timber supply from state forestland.

Support: MUCC, MI Forest Products Council, MI Township Association, MI Farm Bureau -- The bill lays out certification responsibilities for the DNR. The plan takes into account a “stable, long-term, sustainable timber supply”. Certification requires Michigan’s forestland to be managed in a sustainable way and will make the timber more marketable.

Sierra Club, MI Environmental Council -- The groups oppose this bill because it is tie-barred to SB 1023 and SB 1024.

- BRATER 1 was defeated [no RC].
- HB 5554 passed with IE [RC 265: 29 yes, 9 no].

### **SB 1167 (Hammerstrom)**

SB 1167 would mandate individuals required to register on Michigan’s Sex Offender Registry pay a one-time fee of \$35. Of each \$35 registration fee collected, \$25 would go to the Department of State Police, while the remaining \$10 would be retained by the court or local law enforcement agency collecting the fee. According to SFA the state could generate as much as \$770,000 the first year this is in effect, and up to \$122,500 in subsequent years.

- SB 1167 passed with IE [RC 261: 38 yes, 0 no].

### **HB 4937 (Caswell)**

HB 4937 would increase the size of the Board of Boiler Rules from 11 members to 12 members with one member representing antique steam engine owners and operators.

- HB 4937 passed with IE [RC 267: 37 yes, 0 no].

### **HB 5093 (CONDINO)**

HB 5093 would prohibit the reduction of a duty disability pension allowance under certain conditions. Currently, a duty disability pension allowance may be reduced if the combined pension along with wages from another job exceed the retirant's final (state) compensation. This bill prohibits any reduction because of this as long as the combined amounts do not exceed 150% of the federal poverty guidelines.

Support: Office of Retirement Services, UAW, the Retirement Coordinating Council.

- HB 5093 passed with IE [RC 262: 38 yes, 0 no].

### **HB 5500 (Casperson)**

HB 5500 would permit on-premises licensees to sell alcoholic liquor beginning 12 noon E.S.T. on Sunday in the U.P. counties of Dickinson, Gogebic, Iron, and Menominee. This would allow bars and restaurants in the four counties in the U.P. that are on Central time to sell alcoholic liquor at 11:00 a.m. on Sunday in an effort to allow them to compete with establishments in Wisconsin and neighbors in Michigan's Eastern Time Zone.

- HB 5500 passed with IE [RC 268: 37 yes, 0 no].

## **THIRD READING**

### **SB 1141 (Cropsey)**

SB 1141 would amend definitions in the Drug Dealer Liability Act to reflect recent changes in controlled substances law regarding illegal drug level amounts. This bill is necessary to reflect changes made to mandatory minimums last session. The Drug Dealer Liability Act allows someone injured by an individual abuser of a controlled substance to bring an action against a person who participated in the illegal marketing of the controlled substance (a drug dealer).

- SB 1141 was moved to 3<sup>rd</sup> Reading. No amendments.

### **SB 1160 (McManus)**

SB 1160 would designate the portion of US 127 in Clare County as the Kevin Sherwood Memorial Freeway.

- SB 1160 was moved to 3<sup>rd</sup> Reading. No amendments.

### **SB 1179 (Kuipers)**

SB 1179 would name the bridge on US-31 in Ottawa county (located in the city of Grand Haven between Jackson street and the M-104 exit) as the "Memorial Bridge".

- Committee 1 (S-2) was adopted [no RC]
- SB 1179 was moved to 3<sup>rd</sup> Reading.

### **HB 4434 (SMITH)**

HB 4434 would provide that a court MAY require as a condition of probation that a person complete a high school education or obtain a general education development (GED) certificate. This bill would help promote probationers to complete GED requirements which would increase the likelihood of employment with a potential for an increased income.

- HB 4434 was moved to 3<sup>rd</sup> Reading. No amendments.

#### **HB 4867 (Koetje)**

HB 4867 would specify that the Department of Natural Resources could not promulgate or enforce a rule that prohibits an individual from carrying a pistol, whether concealed or not, if the individual is licensed under the concealed weapons statute. This bill is necessary to allow a holder of a concealed weapon permit to carry their firearm in areas designated for hunting. It doesn't make sense to disallow law-abiding citizens from carrying their firearm while walking in wild-life areas.

- Committee 1 (S-2) was adopted [no RC]
- HB 4867 was moved to 3<sup>rd</sup> Reading.

#### **HB 5281 (Mortimer)**

HB 5281 would provide a new, lower minimum capital and surplus standard for a company that operates solely as a bail bond surety company.

Support: Michigan Professional Bail Agents Association, Universal Fire and Casualty Insurance -- A lower minimum surplus and capital requirement for bail bond surety companies is defensible because of the nature of the risk involved in that industry. Loss ratios are said to be small, and bail bond surety companies have ways to mitigate losses by pursuing the assets of customers.

Oppose: Office of Financial and Insurance Services -- OFIS has raised a number of concerns with the bill. Spokespersons have said the office believes Michigan courts and citizens would be best served if reputable and solvent companies are in place to sell bail bonds, and it believes the current \$7.5 million capital and surplus requirement assures the public that companies doing business in Michigan can meet their obligations.

- HB 5281 was moved to 3<sup>rd</sup> Reading. No amendments.